IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GEORGE MORRIS, Plaintiff, v. UNITEDHEALTHCARE INSURANCE COMPANY, Defendant.	§ § § § § § § § § § § §	CIVIL ACTION NO. 4:15-CV-00638-ALM-CAN

ORDER

Pending before the Court is Plaintiff's Motion to Compel [Dkt. 32] and Motion for Extension of Time to Complete Discovery ("Motion for Extension of Time") [Dkt. 40]. Defendant filed a Response in opposition to Plaintiff's Motion for Extension of Time [Dkt. 42]. After reviewing the Motion to Compel [Dkt. 32], Motion for Extension of Time [Dkt. 40], Defendant's Response [Dkt. 42] and all other relevant filings, the Court finds that Plaintiff's Motion to Compel and Motion for Extension of Time should be **DENIED**.

On June 13, 2016, Plaintiff moved to extend the discovery deadline, requesting additional time to address his pending Motion to Compel [Dkt. 40]. The next day, on June 14, 2016, the Court conducted a telephonic hearing regarding Plaintiff's Motion to Compel [*see docket generally*]. At the conclusion of the hearing, the Court ordered the Parties to meet and confer regarding three new additional requests identified by Plaintiff and also to provide the Court with a report identifying any remaining discovery issues from the Motion to Compel not resolved during hearing within seven (7) business days. No report was subsequently filed identifying any remaining discovery disputes; Defendant did, however, file a Response opposing Plaintiff's request to modify the discovery deadline [Dkt. 40]. Plaintiff has failed to identify any remaining discovery disputes from the Motion to Compel. Furthermore, Plaintiff has failed to show good cause for granting a request to extend the discovery deadline. Federal Rule of Civil Procedure 16(b) states that "[a] schedule may be modified only for good cause and with the judge's consent." The "good cause standard requires the party seeking relief to show that the deadlines cannot reasonably be met despite the diligence of the party needing the extension." *S & W Enters., L.L.C. v. Southtrust Bank of Alabama, NA*, 315 F.3d 533, 535 (5th Cir. 2003). Plaintiff has not shown that any good cause exists to modify the existing dates and deadlines applicable to discovery in this case. Accordingly,

It is therefore **ORDERED** that Plaintiff's Motion to Compel [Dkt. 32] and Motion for Extension of Time to Complete Discovery ("Motion for Extension of Time") [Dkt. 40] are **DENIED**.

IT IS SO ORDERED.

SIGNED this 27th day of September, 2016.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE